

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/602,692 Confirmation No.: 1379
Applicant : Sommadossi, *et al.*
Filed : June 20, 2003
Title : Methods and Compositions for Treating Flavivirus and Pestiviruses

TC/AU : 1623
Examiner : Travis C. McIntosh, III

Docket No. : 06171.105071 (IDX1006 CON 3)
Customer No. : 20786

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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August 24, 2005

Terminal Disclaimer

Sir:

Assignee, Idenix Pharmaceuticals, Inc., the owners of entire interest of U.S. Serial No. 10/602,692, through the undersigned attorney of record, hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent Nos. 6,812,219 and 6,914,054, and any patent granted on pending other Application Numbers 10/602,135; 10/602,136; 10/602,142; 10/602,691; 10/602,693; 10/602,694; and 10/602,976, all filed June 20, 2003.

The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the above-listed applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


The assignment of the priority document of the instant application was recorded at the Patent and Trademark Office at Reel 011974, Frame 0132 on July 12, 2001, the name change of

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this Correspondence, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date

8/24/05


Suzanne H. Klinge

Application No. 10/602,692
Terminal Disclaimer dated August 24, 2005
Responsive to Office Action dated April 5, 2005

Novirio Pharmaceuticals Ltd. to Idenix Pharmaceuticals, Inc. was recorded at Reel 013193, Frame 0841 on August 19, 2002 and the Certificate of Domestication Incorporation in Delaware for Idenix Pharmaceuticals was recorded at Reel 013718, Frame 0543 on February 6, 2003.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on the other applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Applicants authorize the Commissioner to charge the fee for filing this Terminal Disclaimer and any additional fees to Deposit Account No. 11-0980.

Respectfully submitted,



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